

# SUMMARY OF INCIDENT

Investigator: Inv. S-A O. Wilkinson		Team # 4	Supervisor:	
Date of Report: May 12, 1995		CCRB No.: 9403756	Classification: FAD	
Date and Time of Incident: 09-30-94 at 2030 hrs.		Date and Time Reported to C.C.R.B. 10-07-94 at 1149 hrs.		
Location of Incident: § 87(2)(b)			Precinct 110	
COMPLAINANT	STREET	CITY/BOROUGH	STATE	ZIP CODE
	§ 87(2)(b)	Queens	NY	11385
VICTIM	§ 87(2)(b)	Queens	NY	11385
	§ 87(2)(b)	Queens	NY	11385
ATTY	None Representing			
WITNESSES	§ 87(2)(b)	Corona	NY	11368
	§ 87(2)(b)	Corona	NY	11368

## MEMBERS OF THE SERVICE

RANK	NAME	SUBJECT	WITNESS	SHIELD NO.	CMD.	TAX REG. NO.	DUTY STATUS	ASSIGNMENT	RACE
PO	Jeffrey Maddrey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	23528	110	899501	<input checked="" type="checkbox"/> ON <input type="checkbox"/> OFF	Anti./Cr.	B
PO	Brian Sonilla	<input checked="" type="checkbox"/>	<input type="checkbox"/>	18928	110	896234	<input checked="" type="checkbox"/> ON <input type="checkbox"/> OFF	Anti./Cr.	H
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> ON <input type="checkbox"/> OFF		
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> ON <input type="checkbox"/> OFF		
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		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> ON <input type="checkbox"/> OFF		

ALLEGATIONS	SOURCE	APPENDIX ENCLOSURE NO.
Unnecessary Force: Hit		
(a)-(b) Complainant alleges that subject MOS hit his son/victim, Mr. § 87(2)(b)	I/R	8
Abuse of Authority: Person Searched/Threat of Arrest		
(c)-(d) Complainant alleges that subject MOS abused their authority during the incident.	I/R	8, 10
Discourtesy: Curse		
(e) Complainant alleges that subject MOS used discourteous language towards Ms. § 87(2)(b) victim during the incident.	I/R	10

## COMMUNICATIONS TO BE ANSWERED:

<input type="checkbox"/> P.C. Brief	<input type="checkbox"/> Mayor's Office	<input type="checkbox"/> I.A.D. Review	<input type="checkbox"/> Other (specify) _____
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REPORT OF INVESTIGATION  
OF CIVILIAN COMPLAINTS

ENDORSEMENTS

SHEET "G"  
Page \_\_\_ of \_\_\_ Pages

1ST ENDORSEMENT

C.C.R.B.# 9403756

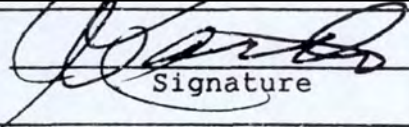
May 12, 1995  
Date

From: \_\_\_ Deputy Executive Director, Civilian Complaint Review Board  
\_\_\_ Assistant Director, Civilian Complaint Review Board  
\_\_\_ Team Supervisor, Civilian Complaint Review Board  
To: Executive Director, Civilian Complaint Review Board

The undersigned recommends that this matter be filed as:

§ 87(2)(g)



  
Signature

2ND ENDORSEMENT

\_\_\_\_\_  
Date

From: \_\_\_ Executive Director, Civilian Complaint Review Board  
\_\_\_ Deputy Executive Director, Civilian Complaint Review Board  
\_\_\_ Assistant Director, Civilian Complaint Review Board  
To: The Civilian Complaint Review Board

The undersigned recommends that this matter be filed as:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

REPORT OF INVESTIGATION OF CIVILIAN COMPLAINT  
SUMMARY OF INVESTIGATION

SHEET "D"

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ALLEGATION (A)

CCRB No. 9403756

Unnecessary Force: (other) Hit

Mr. § 87(2)(b) victim# 1:  
alleges that subject, PO Maddrey, after searching/locating in his backpack an air-gun, subject MOS, hit his left cheek (2x) with the air-gun and his fist.

Ms. § 87(2)(b) victim# 2, (Mr. § 87(2)(b) mother):  
was not present during the incident and did not witness the allegation.

PO Maddrey, subject# 1:  
stated that at no time did he or his partner, PO Bonilla, hit Mr. § 87(2)(b) in the left cheek with an air-gun or their fists.

PO Bonilla, subject# 2:  
stated that at no time did he or his partner hit Mr. § 87(2)(b) in the left cheek with an air-gun or their fists.

ANALYSIS/FINDINGS (Omit Recommendations)

Allegation (A): § 87(2)(g) (PO Maddrey)



REPORT OF INVESTIGATION OF CIVILIAN COMPLAINT  
SUMMARY OF INVESTIGATION  
ALLEGATION (E)

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CCRB No. 9403756

Discourtesy: Curse

Mr. § 87(2)(b) victim# 1:  
did not witness/hear the statement made to his mother/victim# 2, Ms. § 87(2)(b)

Ms. § 87(2)(b) victim# 2, (Mr. § 87(2)(b) mother):  
alleges that subject, PO Bonilla, stated to her "If I see your son, can I kick his ass".

PO Maddrey, subject# 1:  
stated that he nor his partner, PO Bonilla did not make any discourteous statement to Ms. § 87(2)(b)

PO Bonilla, subject# 2:  
stated that he at no time made any discourteous statements to Ms. § 87(2)(b) at the precinct.

ANALYSIS/FINDINGS (Omit Recommendations)

Allegation (E): § 87(2)(g) (PO Bonilla)



REPORT OF INVESTIGATION OF CIVILIAN COMPLAINT  
ADDITIONAL REMARKS/COMMENTS (IF NECESSARY)

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This investigation arose when the complainant, § 87(2)(b) who was not present during the incident filed a complaint on behalf of his son/victims, § 87(2)(b) and wife, § 87(2)(b). Victims allege that subject MOSS Slapped/Punched/Hit Mr. § 87(2)(b) in the face, Threatened to arrest Ms. § 87(2)(b) and used discourteous language during the incident. No injuries were claimed. (Encl. 8, 10)

This investigation disclosed that on September 30, 1994 at 2030 hrs., Mr. § 87(2)(b) was approached by subjects, PO Bonilla and PO Maddrey because he was suspected of possessing a firearm at the location of incident. Subject MOSS were identified from IAB Records. (Encl. 1a, 17g, 19a)

Mr. § 87(2)(b) complainant, was not present either at the location of incident nor at the precinct involving both his son, Mr. § 87(2)(b) and his wife, Ms. § 87(2)(b). Complainant did not witness the incident. (Encl. 7)

Mr. § 87(2)(b) victim# 1, alleges while visiting his ex-girlfriend, § 87(2)(b) at her home, her mother § 87(2)(b), called the MOSSs because Mr. § 87(2)(b) was harassing § 87(2)(b). Subjects, PO Bonilla and PO Maddrey responded to the location. PO Maddrey, S/O# 1, (a) Searched Mr. § 87(2)(b) backpack, finding a air-gun and (b) Hit his left cheek (2x) with the airgun/ fist. In the RMP, PO Bonilla, S/O# 2, (c) Hit Mr. § 87(2)(b) right cheek (1x) with his pen, while the subject was seated in the backseat with the victim. At the precinct, S/O# 2, stated that he had hit Mr. § 87(2)(b) cheek to his mother, Mr. § 87(2)(b). (Encl. 8)

Ms. § 87(2)(b) victim# 2, alleges that after she received/responded to a call to pick up her son/victim# 1, Mr. § 87(2)(b) at the precinct. Upon arriving at the precinct, Mr. § 87(2)(b) left cheek was red. S/O# 1, stated that he had hit her son in the face during the incident. Inquiring why her son was hit, S/O# 1, stated to Ms. § 87(2)(b) (a) "Get out or I'll arrest you" (4x). S/O# 2, then stated to Ms. § 87(2)(b) (b) "If I see your son, can I kick his ass?" (Encl. 10)

Ms. § 87(2)(b), witness# 1, (Mr. § 87(2)(b) ex-girlfriend) attempts were made through correspondences and telephone, which has resulted with no interviews conducted for this witness and a missed appointment. (Encl. 16, 21, 23)

Ms. § 87(2)(b), witness# 2, (mother of § 87(2)(b)) attempts were made through correspondences and telephone, which has resulted with no interviews

SUMMARY OF FINDINGS AND RECOMMENDATIONS

ALLEGATION	CLASSIFICATION				FINDINGS AND RECOMMENDATIONS
	F	A	D	E	
					page 2, continued on next page.

TOTAL ENCL.	INVESTIGATOR'S SIGNATURE	SUPERVISOR'S SIGNATURE
31	Inv. S-A O. Wilkinson ✓	



REPORT OF INVESTIGATION OF CIVILIAN COMPLAINT  
ADDITIONAL REMARKS/COMMENTS (IF NECESSARY)

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conducted for this witness and a missed appointment. (Encl. 16, 22, 23)

PO Maadrey, subject# 1, stated that he and his partner, PO Bonilla received/responded to a radio-run of a male in possession of a gun at the location. Upon responding to the location, S/O# 1, stop/questioned/frisked a male fitting the description of Mr. § 87(2)(b) when an air-gun was found in his backpack. Ms. § 87(2)(b) told the MOSSs that Mr. § 87(2)(b) was harassing her daughter. Mr. § 87(2)(b) was voluntarily handcuffed/placed inside the RMP with S/O# 2, seated in the backseat with Mr. § 87(2)(b). At the precinct, Ms. § 87(2)(b) arrived and began to make discourteous statements about Dominicans. Afterwards, Mr. § 87(2)(b) stated to his mother that he was hit by the MOSSs in the face when she began cursing & using abusive language towards the MOSSs. S/O# 1, stated to Ms. § 87(2)(b) "If she did not leave the room, she would be arrested"(4x). Ms. § 87(2)(b) departed to the lobby. (Encl. 27, 28)

PO Bonilla, subject# 2, stated that he and his partner responded to a gun run at the location. Upon their arrival to the location, Mr. § 87(2)(b) was stopped/questioned/frisked because he fit the description of the male outside the location. An air-gun was found in the bag owned by Mr. § 87(2)(b). Mr. § 87(2)(b) was then handcuffed (voluntarily) and placed inside the RMP. At that point, § 87(2)(b) stated to the MOSSs that Mr. § 87(2)(b) was harassing her daughter. Mr. § 87(2)(b) stated to the MOSSs before the search, "Leave me the fuck alone, I'm talking to my girlfriend" At that the precinct, Ms. § 87(2)(b) arrived and began using discourteous language towards her son and the MOSSs. At that point, both subject MOSSs stated to her, if she did not leave the room she would be arrested. Ms. § 87(2)(b) departed from the room into the lobby of the precinct. § 87(2)(g) Juvenile Report, UF-61 against Mr. § 87(2)(b) by § 87(2)(b), UF-250, and the air-gun was vouchered by PO Bonilla. (Encl. 18 a-d, 29, 30)

SUMMARY OF FINDINGS AND RECOMMENDATIONS

ALLEGATION	CLASSIFICATION				FINDINGS AND RECOMMENDATIONS
	F	A	D	E	
					page 3, continued on next page.

TOTAL ENCL.	INVESTIGATOR'S SIGNATURE	SUPERVISOR'S SIGNATURE
31	Inv. S-A O. Wilkinson	



REPORT OF INVESTIGATION OF CIVILIAN COMPLAINT  
ADDITIONAL REMARKS/COMMENTS (IF NECESSARY)

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Based upon the interview statements made by the civilians and subject MOSs, it is recommended that these allegations:

(a)-(b) Force: Hit : § 87(2)(g)

(c)-(d) Abuse of Authority: Person Searched/Threat of Arrest: § 87(2)(g)

(e) Discourtesy: Curse: § 87(2)(g)

SUMMARY OF FINDINGS AND RECOMMENDATIONS

ALLEGATION	CLASSIFICATION
(A) (B) (C) (D) (E)	§ 87(2)(g)

TOTAL ENCL.

INVESTIGATOR'S SIGNATURE

SUPERVISOR'S SIGNATURE

31

Inv. S-A O. Wilkinson